City of Lafayette
Public Meeting Agenda
City Council Special Meeting
Redevelopment Agency Special Meeting

Monday, February 9, 2009 **6:00 pm**
Lafayette Community Center – **Sequoia Room**
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS
5. CLOSED SESSION
   A. **Conference with Legal Counsel-Existing Litigation**
   Government Code section 54956.9(a)
   Colby v. City of Lafayette et al.
   Case No. N08-1508

   B. **Conference with Legal Counsel – Existing Litigation**
   Government Code section 54956.9(a)
   Holmes v. City of Lafayette
   Case No. A122849

   C. **Conference with Legal Counsel – Anticipated Litigation: Significant exposure to Litigation pursuant to Government Code section 54956.9(b) (1 Case)**

   D. **Conference with Labor Negotiators**
   Pursuant to Government Code section 54957.6
   Agency Designated Representative: Steven Falk, City Manager and Tracy Robinson, Administrative Services Director
   Unrepresented Employees: All unrepresented City Employees

6. ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
Public Meeting Agenda
City Council Regular Meeting
Redevelopment Agency Special Meeting

Monday, February 9, 2009 **7:00 pm**
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ADOPTION OF AGENDA
5. REPORT FROM CLOSED SESSION
6. PUBLIC COMMENTS
7. PRESENTATIONS
   A. **Steven Falk, City Manager and Tracy Robinson, Administrative Services Director**
   2009 Municipal Goal Setting
   Recommendation: Review, discuss, and amend the attached Draft Goals and Workplans for the City of Lafayette for FY2009.

   B. **Steven Falk, City Manager**
   Lafayette Stimulus Package
   Recommendation: Discuss and direct staff.

8. OLD BUSINESS
   A. **Matt Luttropp, Associate Engineer**
   Happy Valley Road Pathway – Modifications from Franklin Lane to Valory Lane
   Update from neighbors on project funding
   Recommendation: Discuss and direct staff.

9. STAFF REPORTS

10. PUBLIC HEARINGS

11. CONSENT CALENDAR
   A. **City Council Minutes**
      1. **January 13, 2009**
      Recommendation: Approve.
      2. **January 26, 2009**
      Recommendation: Approve.

   B. **Resolution 2009-02 approving a use fee rate of $17,018.46 for Lafayette Little League's use of Buckeye Fields for the 2009 season.**
   Recommendation: Adopt Resolution 2009-02.

   C. **Amendment to the terms of an easement for public pedestrian use of a sidewalk along Mt. Diablo Blvd. for the Lafayette Mercantile project located at 3585-3599 Mt. Diablo Blvd. APN 243-120-016**
   Recommendation: Authorize certificate of acceptance and recordation of the public use

sidewalk easement deed.

D. **Letter from Michelle Edmunds resigning from the Parks, Trails & Recreation Commission effective January 23, 2009.**
Recommendation: Accept with regret and schedule recognition.

E. **Resolution 2009-08 Authorization to apply for local grant funds from East Bay Regional Park District under Measure WW Park Bond Extension**
Recommendation: Adopt Resolution 2009-08.

F. **Designating the City Manager to Award Contracts for Possible Federal Economic Stimulus Funding**
Recommendation: Designate the City Manager to Award of Contracts for Possible Federal Economic Stimulus Funding.

11. F. 1. **Resolution 2009-11 to Commit to Projects Funded by Federal Economic Stimulus Funding**
Recommendation: Adopt Resolution 2009-11 authorizing the filing of an application for Federal American Recovery and Reinvestment Act of 2009 9 (ARRA) funding and stating the assurance to complete the project.

G. **Resolution 2009-09 Setting the Stormwater ERU Utility Fee Rate for FY 2009-2010**
Recommendation: Adopt Resolution 2009-09.

H. **Report from Contra Costa County Animal Services Department for animal related activities and actions in Lafayette from January 1, 2008 to December 31, 2008**
Recommendation: Receive and file.

I. **Resolution 2009-05 Denial of the appeal by Richard Holt of the Planning Commission denial of HDP47-07 and V17-08 for a request for a hillside development permit (HDP47-07) and variances V17-08) to build a new two-story single family residence on a lot located at the intersection of Sierra Vista Way and Sessions Road (Tract 5332 Lot 66). APN 2332-052-019**
Recommendation: Adopt Resolution 2009-05.

J. **Palos Colorados Precise Development Plan: letter sent to the Moraga Planning Commission dated February 2, 2009**
Recommendation: Receive and file.

K. **Projections 2009 Third Scenario: long range population and jobs forecasts developed by the Association of Bay Area Governments (ABAG)**
Recommendation: Authorize staff to forward comments to ABAG.

Convene Redevelopment Agency

L. **Resolution R2009-02 Approval of amendment of Critical Solutions, Inc., consultant for project advisor/management of Lafayette Library and Learning Center.**
Recommendation: Adopt Resolution R2009-02.

M. **Award of contract for Lafayette Library and Learning Center Furniture and Furnishings**
Recommendation: Award contract for the Lafayette Library and Learning Center Furniture and Furnishings.

Adjourn Redevelopment Agency

12. COUNCIL/COMMISSION REPORTS
    A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

    B. **Don Tatzin, Mayor**
    Establish a Communications and Charter City Exploration Committee
    Recommendation: Discuss and direct staff.

13. WRITTEN COMMUNICATIONS
    A. **Letter dated January 16, 2009 from Ashley Coates, President of the League of Women Voters of Diablo Valley, requesting a contribution to help cover the cost to produce candidate debates.**
    Recommendation: Discuss and direct staff.

14. ADJOURNMENT to the next regularly scheduled meeting on Monday, February 23, 2009.

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City of Lafayette
General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting. Agendas and staff reports are also available on the city website www.ci.lafayette.ca.us .

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

Board1 Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 2007-049.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

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1 "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.